IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 932 of 2001 (M/B)

Zakir Hussain S/o Mohd. Ali,
R/o Jainpur Jhanjhadi,
Pargana Manglor Tehsil: Roorkee … Petitioner

Versus

1. State of Uttaranchal
2. Collector Hardwar
3. Tehsildar, Roorkee
4. Collection Amin, Tehsil Roorkee
5. Punjab National Bank, Landhura Branch,
   Distt. Hardwar through
   its Branch Manager … Respondents

……

Mr. Nageesh Agarwal, Advocate for the petitioner.
Standing Counsel for the State of Uttaranchal.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. P.C. Verma, J.

P.C. Verma, J. (Oral)

1. The petitioner has prayed for the following reliefs:

   (i) to issue a writ order or direction in the nature of mandamus commanding the respondent no. 1 to enquire into the matter and to punish the rest of the respondents.

   (ii) to issue a writ, order or diretion in the nature of mandamus commanding the respondents to give adequate and appropriate compensation which this Hon'ble Court may deem fit and proper in view of the facts and circumstances as mentioned above.

   (iii) to issue any writ, order or direction as the court deems fit and proper in view of the facts and circumstances as mentioned above.

2. From the nature of reliefs sought, it is evident that these reliefs can be sought by filing a suit because that will require leading of evidence by the parties. Therefore, we relegate the petitioner to avail the remedy of suit.

3. The writ petition is dismissed. No order as to costs.

(P.C. Verma, J.) **(Rajeev Gupta, C.J.)**

16.02.2006
A